



Form Approved:
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If you answered "yes" in item 15, list all living former spouses to whom you were married for at least 9 months and from whom you were divorced on or after May 7, 1985.

Name of Former Spouse	Date of Marriage (month, day, year)	Date of Divorce (month, day, year)

NOTIFICATION TO CURRENT AND FORMER SPOUSES OF YOUR REFUND APPLICATION

The Civil Service Retirement law provides that your retirement contributions may be refunded to you ONLY if you notify the following persons that you are applying for a refund:

- any current spouse (including any person from whom you are legally separated) and
- any former spouse from whom you were divorced on or after May 7, 1985.

You **are not required** to notify a former spouse if you were not married to that person for a total of at least 9 months or if you do not have a total of at least 18 months of civilian service subject to retirement deductions including previously refunded service.

You should provide a separate copy of Standard Form 2802B, *Current/Former Spouse's Notification of Application for Refund of Retirement Deductions*, to (1) your current spouse, if any, and (2) if you have at least 18 months of civilian service subject to retirement deductions, each former spouse listed above. The current or former spouse must sign an SF 2802B and have the signature witnessed by two persons. You cannot be one of the witnesses. You can get extra copies of SF 2802B from your employing office. Attach all signed and witnessed notification forms to your refund application.

The law provides that payment of your refund is subject to the terms of any court order (related to a divorce or legal separation) that expressly relates to any portion of your refund, if the payment of the refund would end the entitlement of a spouse or former spouse to a survivor annuity or a portion of your annuity. A court order cannot bar payment of a refund if you do not have a future Civil Service annuity entitlement.

If your current or former spouse refuses to acknowledge the notification or you are otherwise unable to obtain acknowledgement, OPM is required to validate the acknowledgement process. Upon request, OPM will attempt to send the notification (by certified mail return receipt requested) or you may submit affidavits documenting your attempt to deliver the notice. If you do not know the whereabouts of your current or former spouse, you may request a waiver of the notice requirement.

Notification by OPM will be attempted if you can provide the current mailing address of the current or former spouse. (You may use the box below to give the address.) OPM will not pay you the refund until we receive the signed return receipt. If the notice is undeliverable at the address you give, OPM will not pay your refund unless you subsequently show that the notification requirement should be waived as described below. If you decide you want OPM to make notification, it will cause a 6- to 8-week delay in the payment of your refund.

I have been unable to notify the following current or former spouse. (Enter name and current mailing address, including ZIP code, of the current or former spouse.)

Verification of your attempt to deliver the notice may be documented by affidavits signed by two individuals who witnessed your attempt to personally notify the current or former spouse. The witnesses must attest that they saw you give or try to give (personally) the notification form to your current or former spouse to whom your purpose should have been clear.

Waiver of the notice required may be granted if you do not know the whereabouts of your current or former spouse and you submit with your refund application:

- A determination by a court or administrative agency empowered to make such determinations that the person is missing; OR
- Notarized statements from yourself and two other persons (one of whom is unrelated to you) stating that the person's whereabouts are unknown and detailing efforts to locate the person.

Privacy Act Statement

Title 5, U.S. Code, Chapter 83, Civil Service Retirement, authorizes solicitation of this information. The data you furnish will be used to determine your eligibility to receive a refund of retirement deductions. The information may be shared and is subject to verification, via paper, electronic media, or through the use of computer matching programs, with national, state, local or other charitable or social security administrative agencies in order to determine and issue benefits under their programs or to report income for tax purposes. It may also be shared and verified, as noted above, with law enforcement agencies when they are investigating a violation or potential violation of the civil or criminal law. Executive Order 9397 (November 22, 1943) authorizes use of the Social Security Number to distinguish you and people with similar names. Furnishing your Social Security Number, as well as other data, is voluntary, but if you do not do this, OPM may be unable to determine your eligibility to receive a refund of retirement deductions.

Public Burden Statement

We think this form takes an average 45 minutes to complete, including the time for reviewing instructions, getting the needed data, and reviewing the completed form. Send comments regarding our estimate or any other aspect of this form, including suggestions for reducing completion time, to the Office of Management and Budget, Paperwork Reduction Project (3206-0128) Washington D.C. 20503.

Notice to Applicant

1. If you have more than 5 years of service, you may be entitled to annuity rights which you will forfeit by receiving this refund unless you are later reemployed subject to the Civil Service Retirement System or the Federal Employees' Retirement System. (Note: Payment of the refund will end any eligibility your former spouse[s] may have to coverage under the Federal Employees Health Benefits Program.) You should also be aware that even if you are later reemployed, the period of time covered by the refund cannot be used in computing your future annuity benefits unless (1) you redeposit the refund, plus interest, to the retirement fund or (2) the period(s) covered by the refund ended before October 1, 1990. (Note: If you receive a refund for a period or periods of Federal service ending before October 1, 1990, and you later become eligible for nondisability retirement, you will receive credit for the service covered by the refund in your annuity computation -- even if you choose not to pay the redeposit by the time your annuity begins. However, if the redeposit is not paid, your annuity will be actuarially reduced to reflect nonpayment of the redeposit.) Refunded service will be used for annuity title and average salary purposes regardless of when the service was performed or whether you redeposit the refund.

The amount of the redeposit will be the sum of the refund you received plus interest from the date the refund was paid to the date you pay the redeposit (or commencing date of annuity, if earlier). The interest you will be charged on this refund will be equivalent to the rate of interest earned by new retirement fund investments as determined each year by the Secretary of the Treasury. We cannot predict what those interest rates will be in the future. For your information, though, previous interest rates were as follows:

1985	13 %
1986	11.125 %
1987	9 %
1988	8.375 %
1989	9.125 %
1990	8.75 %
1991	8.625 %

If you are filing your refund application after 1991, your employing agency can tell you the interest rate for the current year. Interest charges on this refund will accrue and compound annually.

2. If you were separated on or after October 1, 1956, from a position subject to the Civil Service Retirement law, refund of retirement deductions is prohibited unless your separation occurred and your application is received by your employing office or the Office of Personnel Management at least 31 days before the earliest commencing date of any annuity for which you are eligible.
3. Refund of retirement deductions is also prohibited if you are currently employed in a position subject to Civil Service Retirement deductions or to Federal Employees' Retirement deductions or will be so employed within 31 days from the date of the separation on which your claim for refund is based.

4. If you are now or have ever been covered by the Federal Employees' Retirement System, you cannot use this application to request a refund, even if you are requesting a refund of Civil Service Retirement deductions. You must use Standard Form 3107, instead.
5. If you are (or will be) contesting your separation in an administrative or judicial procedure which may result in the retroactive cancellation of your separation, the authority for OPM to pay you this refund will also be cancelled. A refund payment based on a separation that is subsequently cancelled is an erroneous payment that will be collected as a debt to the United States.
6. Your refund is **not payable** until at least 31 days have passed since your separation.
7. Interest will be paid on your refund if the refund covers more than 1 year of service subject to retirement deductions and you have total civilian service of fewer than 5 years.
8. This application should not be offered to a financial institution or other person as collateral or security for a loan. The retirement law [5 U.S.C. 8346(a)] provides that an employee's retirement contributions are not assignable. A former employee must apply for refund personally and payment must be made directly to him or her. However, outstanding debts to the U.S. Government can, at the Government's request, be withheld from a refund, provided all legal requirements are met.

Federal Tax Withholding

Although the refund of your contributions to the Civil Service Retirement fund is not subject to Federal income tax, any interest paid on your contributions is taxable in the year that it is paid, unless you transfer the interest portion of your refund to another eligible retirement plan. If you elect not to have Federal tax withheld, or if you do not have enough Federal tax withheld, you may be responsible for payment of estimated tax. In addition, you may incur penalties under the estimated tax rules if your withholdings and estimated tax payments are not sufficient.

Where to File Your Application

1. If you have been separated 30 days or less, this application should be forwarded to the office in which you were last employed.
2. If you have been separated more than 30 days, forward this application to the Office of Personnel Management, Civil Service Retirement System, Employee Service and Records Center, Boyers, PA 16017.

Retain this page for your records.